

CHAPTER NO. 220

HOUSE BILL NO. 927

By Representative Tidwell

Substituted for: Senate Bill No. 1436

By Senator Jackson

AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 5, Part 3, relative to entrances onto highways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 54-5-301, is amended by designating the existing language as subsection (a) and by adding a new subsection thereto, as follows:

(b) Notwithstanding any provision of law to the contrary, the construction of an unauthorized entrance into a highway in the state highway system is an offense punishable as a Class B misdemeanor punishable by a fine only of five hundred dollars (\$500). If such entrance violates any rule or regulation of the department, the owner of such entrance shall have thirty (30) days to comply with all applicable rules and regulations. The department may impose a penalty of one hundred dollars (\$100) for failure to comply with all applicable rules and regulations within thirty (30) days. Each day an entrance is in violation of this subsection after such thirty-day period shall be considered a separate offense. The owner of an unauthorized entrance shall be civilly liable for any injuries proximately caused by such entrance.

SECTION 2. Tennessee Code Annotated, Section 54-5-303, is amended by deleting the section in its entirety.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 12, 2005


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 27th day of May 2005


PHIL BREDESEN, GOVERNOR